

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

SCOTT KINGSTON,

Plaintiff,

v.

INTERNATIONAL BUSINESS
MACHINES CORPORATION,

Defendant.

CASE NO. C19-1488 MJP

ORDER DIRECTING ENTRY OF
JUDGMENT

This matter comes before the Court on Plaintiff Scott Kingston's Notice of Acceptance of Remittitur. (Dkt. No. 225.) Through the Notice, Kingston has accepted the remittitur of the noneconomic damages to \$1.5 million. Kingston also asks the Court to enter final judgment on damages, interest, costs, the tax setoff, and attorneys' fees. Kingston notes that the only remaining issues are what interest rates apply and how they apply to the award of economic damages and his additional request for attorneys' fees on incurred on remand. The Court agrees with this request in part and DIRECTS the Clerk to enter final judgment as follows:

1 (1) \$1,874,302.00 for past economic loss, (2) \$3,097,642.00 for future economic loss, (3)
2 \$113,728.00 for unpaid sales commissions; (4) \$1,500,000.00 for noneconomic damages; (5)
3 \$1,514,337.00 in attorneys' fees and \$40,124.19 in nontaxable litigation expenses incurred
4 through trial and up to the appeal; (6) a tax offset award of \$1,117,508.00; and (7) \$345,870.57
5 in attorneys' fees incurred on appeal.

6 One Kingston's pending motion ripens (Dkt. No. 226), the Court will separately issue an
7 order resolving the Parties' dispute as to attorneys' fees incurred on remand and the amount and
8 rates of pre- and post-judgment interest.

9 The clerk is ordered to provide copies of this order to all counsel.

10 Dated January 11, 2023.

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12 Marsha J. Pechman
13 United States Senior District Judge
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